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LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

THE INFORMATION CALLED FOR,

BY

THE RESOLUTION

OF

THE HOUSE OF REPRESENTATIVES, OF THE 4th INSTANT,

IN RELATION

TO SHIPS ENGAGED IN THE SLAVE TRADE,

WHICH

HAVE BEEN SEIZED AND CONDEMNED,

AND

THE DISPOSITION WHICH HAS BEEN MADE OF THE NEGROES,

BY

THE SEVERAL STATE GOVERNMENTS,

UNDER

WHOSE JURISDICTION THEY HAVE FALLEN.

JANUARY 21, 1819.

Read, and referred to the committee of the whole House, to which is committed
the bill supplementary to the acts prohibiting the importation of slaves.

WASHINGTON:

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1819.

TREASURY DEPARTMENT,

January 20th, 1819.

SIR,

In obedience to a resolution of the House of Representatives of the 4th instant, directing the Secretary of the Treasury "to reeport to this House, the number and names of the slave ships, if any, the ports from which they sailed, and where, and by whom owned, which have been seized and condemned within the United States for violations of the laws thereof against the importation of slaves, and if any negroes, mulattoes, or persons of color, have been found on board such vessel, their number, and the disposition which has been made of them by the several state governments, under whose jurisdiction they have fallen," I have the honor to submit the enclosed communication from the Register of the Treasury, the collector of Mobile, and the marshal of the Alabama territory.

From these documents but little information is derived. Independent of the proceedings now pending in the Alabama territory, it is understood that proceedings have been instituted under the state authorities, which have terminated in the sale of persons of color illegally imported into the states of Georgia and Louisiana, during the years 1817 and 1818.

There is no authentic copy of the acts of the legislatures of those states upon this subject in this Department; but it is understood that in both states, that Africans and other persons of color illegally imported, are directed to be sold for the benefit of the state. In the former state, however, they are directed to be placed at the disposition of the society for colonizing the free blacks upon condition of their transportation to some foreign state, and on payment of the expenses incurred by the state in relation to them.

I have the honor to be,

Very respectfully sir,

Your most obedient servant,

WM. H. CRAWFORD.

The Hon. the Speaker

of the House of Representatives.

Treasury Department,

Register's Office, 7th of January, 1819.

SIR,

The resolution of the House of Representatives, of the United States, which you did me the honor to refer, calling for information relative to the slave trade, and if any violations thereof had arisen, under the act of July, 1807, I beg leave to state, that it doth not appear, from an examination of the records of this office, and particularly of the accounts (to the date of their last settlement) of the collectors of the customs, and of the several marshals of the United States, that any forfeitures had been incurred under the said act.

Although there are no records at the Treasury, of the facts, yet from a memorial now before Congress, it appears there had been one ship condemned in the port of Charleston, South Carolina, for a violation of the act above mentioned, called the

Upon the sale of which, the sum of two thousand five hundred dollars, it is alledged, remains in the hands of the clerk of the court of that district.

Another, and the only additional case that can at present be brought into view, in relation to an infraction of the provisions of the aforementioned act, is explained in the certified copies herewith presented, marked A. of the proceedings of the court of Alabama territory; the originals being filed in the office of the Comptroller of the Treasury.

I have the honor to be, sir,

Your most ob't. hum. serv't.

JOSEPH NOURSE.

Hon. W. H. Crawford.

A.

St. Stephen's, Alabama Territory,

July 22d, 1818.

SIR,

Enclosed is a copy, or transcript of the minutes of our last general court. The proceeding in this case, is perhaps unprecedented;

but your better judgment can more correctly determine. I believe the law recognizes the marshal only, as the proper person, to have the charge of property seized for a violation of the laws of the United States: but that course would have deprived those particular friends of Judge Toulmin, of a grand speculation, of which they boast very much; if it was proper that the court should let out the negroes, as a saving to the government, or parties interested, they could have been hired out for a very considerable sum clear of all expenses, but this course would have destroyed a grand individual speculation. And on the contrary, had the negroes been left, as is usual, in the hands of the marshal, he would have been entitled to a small pittance for keeping, to which the judge could not reconcile his malice. You will also observe that this court has granted a commission to take depositions in the Havanna, a foreign government, and in a government where there is no difficulty in procuring any testimony. There has been considerable expense on the part of the government, and I can hazard an opinion, that if this course of proceeding is admitted, that the property will not be condemned.

Your obedient humble servant,

JOHN HANES,

Marshal, Alabama Territory.

Jos. Anderson, Esq.

Comptroller United States.

P. S. Should you think this proceeding unlawful, you will please to lay the papers before the proper authority, and indulge me with your opinion.

J. HANES.

July Term, 1818.

United States,

vs.

*Vessel Merino and cargo, the
schr. Louisa and cargo, and
the Constitution and cargo.*

Ordered, that commissions do issue to take depositions in the Havanna, to be directed to Messrs. Gray and John Murdock, in Pensacola, to be directed to gen. Gaines, colonel King, and captain Call, or either of them and

that the said depositions be taken as evidence, as well in the case of the United States against the said vessels and cargoes, as in the several libels for restitution for the negroes on board the said vessels. And

that the vessels and cargo, in these cases, be delivered to claimants on bond, and security to be approved by the court, being entered into in the appraised value thereof, conditioned to have the property forthcoming, to abide the judgment of the court.

Ordered, That Samuel H. Garron, Lewis Judson, David Files, John W. Simonton, John Whitehead, and Jotham S. Patton, or any four of them, David Files being one, be accepted as securities to be given under this order, and that Henry D. Merritt, Christopher Strong Stewart, and Daniel Duval, be appointed appraisers of the vessels and cargoes aforesaid.

Ordered, on the agreement of the parties, that the one hundred and seven negroes found on board the vessel *Merino*, the schooner *Louisiana*, and the *Constitution*, and libelled in this court, be placed in the possession of James Culler, Benjamin S. Smoot, and David Files, on their entering into bond in such amount, and with such security, as may be approved and agreed upon by the parties; conditioned that they have the said negroes forthcoming to abide the order and decree of the court.

Whereas, one hundred and seven African negroes have been brought within the jurisdiction, and have been placed in the custody of this court, as being liable to forfeiture under the laws of the United States: And whereas, certain persons have claimed the said negroes, and deny their liability to forfeiture as aforesaid; and whereas, the said causes, in reference to the liability of said negroes, could not be decided at July term, 1818, of the Alabama general court setting in admiralty, it was agreed, by and with the advice and consent of the said court, and of all the persons interested, either in the seizure of said negroes aforesaid, as those claiming restitution of the same, that the said negroes be delivered to some responsible persons, to be admitted by the said court aforesaid, for safe keeping, until the court aforesaid, or their officers, shall demand the same; when the said negroes are to be returned into the custody of the court aforesaid, to abide their decision in the premises; all casualties in reference to the said negroes to be excepted from the liability of the said responsible persons.

Whereupon, James Culler, David Files, and Benjamin S. Smoot, came into court, being the persons agreed upon by the parties interested aforesaid, by consent of the court aforesaid, and stipulated, as well to all the parties interested, as to the court aforesaid, to keep them well, and return them unto this court when demanded by the said court, free from all expense to any party concerned, under the penalty of one hundred thousand dollars, to be levied of their goods and chattels, lands and tenements, if they should make default in the stipulation herein mentioned.

I, Francis H. Gaines, deputy clerk of the general court of the Alabama territory, do certify, that the foregoing pages, numbered 1, 2, 3, contain true extracts from the minutes of said court, at July term, 1818.

In witness whereof, I have hereunto set my hand, and affixed
 [SEAL.] my private seal, having no seal of office, the 23d day of
 July, A. D. 1818, and 43d year of American independence.

F. H. GAINES,

R. C. Gen'l. Court.

Treasury Department,

Register's Office, January, 8 1819.

I certify the foregoing to be true copies of the originals on file
 in this department.

JOSEPH NOURSE.

 (Copy.)

Collector's Office,

Port of Mobile,

November 15th, 1818.

SIR,

As Congress are now in session, I beg leave to suggest for
 your consideration, the subject of a revenue cutter for the coast of
 this district. It is evident from a view of our local situation, that no
 part of the American coast affords more inviting opportunities to vio-
 late the revenue laws, and those prohibiting the importation of slaves,
 than this. In other parts of the country, revenue cutters and boats
 have been provided; here, from the Chandalier Islands to the Perdi-
 do river, including the coast, and numerous other islands, we have
 only a small boat, with four men and an inspector, to oppose to the
 whole confederacy of smugglers and pirates. Add to this, a view of
 the situation of the whole coast of West Florida, from the Perdido
 to Florida point, open to the secure landing of slaves, and the
 means of their introduction into the United States. Should West
 Florida be given up to the Spanish authorities, both American and
 Spanish vessels, it is to be apprehended, will be employed in the im-
 portation of slaves, with an ultimate destination to this country; and
 even in its present situation (the Seminole war having terminated)
 the greatest facilities are offered for obtaining slaves from Havanna
 and elsewhere, through West Florida. Three vessels, it is true,
 were taken in the attempt last summer, but this was owing rather to

accident, than any well timed arrangement to prevent the trade. To prevent violations of the revenue laws, and the laws prohibiting the importation of slaves into the United States, and to defend our commerce from the depredations of pirates on our coast, a revenue cutter is necessary; and it appears to me evident that such a vessel on this coast would render more important services to the country, than any cutter employed on the Atlantic coast.

The capture of Pensacola, and the consequent change of circumstances, prevented me from transmitting an estimate of the cost of a boat of the description mentioned in my letter of the 23d of February last, as I was requested to do: being fully satisfied that sound policy, both in regard to expense and utility, required a much larger vessel—one fitted to cruise on the coast from the Chandeliers, on the Mississippi, to the bay of Tampa. Such a vessel would be able to clear our coast of pirates, and put an end to the importation of slaves. If the revenue of the district, is to be the criterion to decide the propriety of the measure, I know the government will not make an appropriation for this object; but if the measure be tested by its general utility in support of our laws, and protection of our commerce, I should suppose they would not withhold the necessary appropriation.

Seven persons are now in custody for piracy, who were taken in the mouth of the Perdido by the military: and repeated instances have occurred of vessels being plundered on the coast.

The revenue boat now in use, has been repaired since my letter of the February last, without much expense, and may perhaps be serviceable for six or eight months longer. But it appears to be necessary that I should be authorized to purchase another, when the present one should be found unfit for service, otherwise we might be two or three months, without even a boat. The sails and rigging are stated to be now very good, and might be applied to another: and with those materials, I should estimate the cost of a boat of the like size, at from two to three hundred dollars.

I have the honor to be,

Sir, very respectfully,

Your most ob't. servant,

ADDIN LEWIS,

Collector.

Hon. W. H. Crawford,

Sec. of the Treasury U. States.